

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NEW YORK CITY TRANSIT AUTHORITY,	:	
	:	Case No. 1:19-cv-05196-JMF
Plaintiff,	:	
	:	DECLARATION OF ELIZABETH
v.	:	A. BOZICEVIC IN SUPPORT OF
	:	EXPRESS SCRIPTS, INC.’S
EXPRESS SCRIPTS, INC.	:	MOTIONS IN LIMINE
	:	
Defendant.	:	
-----X	:	

I, Elizabeth A. Bozicevic, state as follows:

1. I am a partner at the law firm Husch Blackwell LLP, attorneys for Defendant Express Scripts, Inc.
2. I submit this declaration in support of Express Scripts’ Motions In Limine.
3. Attached as **Exhibit 1** is a true and accurate copy of the Plaintiff New York City Transit Authority’s Amended Rule 26 Initial Disclosures served on November 9, 2022.
4. Attached as **Exhibit 2** is a true and accurate copy of the Plaintiff New York City Transit Authority’s Rule 26 Initial Disclosures served on October 16, 2019.
5. Attached as **Exhibit 3** is a true and accurate copy of an Aon report, produced at AONNYCAESI-0002271–2280 and marked as DX-11.
6. Attached as **Exhibit 4** is a true and accurate copy of excerpts from the deposition of Susan Hayes, taken on February 19, 2021.
7. Attached as **Exhibit 5** is a true and accurate copy of excerpts from the deposition of Vincent Kozlowski, taken on May 31, 2022.
8. Attached as **Exhibit 6** is a true and accurate copy of the Notice of Award from NYCTA to Express Scripts produced at Express_Scripts_1095_00004374.
9. Attached as **Exhibit 7** is a true and accurate copy of the cover page and first page of Aon presentation, produced at MTAOIG005360–5361.

10. Attached as **Exhibit 8** is a true and accurate copy of the May 16, 2019 Affidavit of David Ross, marked as DX-270.

11. Attached as **Exhibit 9** is a true and accurate copy of excerpts from the deposition of Davis Ross, taken on October 23, 2020.

12. Attached as **Exhibit 10** is a true and accurate copy of a PDF of an email sent from Express Scripts to NYCTA and the first attachment to that email, produced at Express_Scripts_1095_00161250–161253.

13. Attached as **Exhibit 11** is a true and accurate copy of an excerpt from the deposition of Blake Stockwell, taken on December 4, 2020.

14. Attached as **Exhibit 12** is a true and accurate copy of excerpts from the deposition of Ajay Dalal, taken on September 28, 2020.

15. Attached as **Exhibit 13** is a true and accurate copy of an email exchange between NYCTA and Express Scripts, produced at Express_Scripts_1095-00000082 and marked as DX-31.

16. Attached as **Exhibit 14** is a true and accurate copy of an email thread (redacted to protect patient confidentiality), produced at AONNYCTAESI-0000120–122 and marked as DX-2.

17. Attached as **Exhibit 15** is a true and accurate copy of excerpts from the deposition of Rick Battelle, taken on November 4, 2020.

I declare under perjury that the foregoing is true and correct.

Executed on November 23, 2022.

/s/ Elizabeth A. Bozicevic

Elizabeth A. Bozicevic

St. Louis, Missouri

Dated: November 23, 2022

By: /s/ Elizabeth A. Bozicevic
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 23rd day of November, 2022, the foregoing was filed electronically with the Clerk of Court, to be served by operation of the Court's electronic filing system upon all counsel of record.

s/ Elizabeth A. Bozicevic